IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4680 OF 2004

Shri Pandharinath Sitaram Patil
and anr. .. Petitioners
Vs
Smt. Venubai Abhimanyu Bhandari, Respondent
Mr. P.K. Dhakephalkar, for the petitioners.
Mr J.M.Puranik, for the respondent.

CORAM : D.B.BHOSALE, J.

DATE : FEBRUARY 24, 2005.

P.C.

1. This petition arises out of application Exhibit-5 filed by the respondent-plaintiff. The application was initially rejected by the trial Court. The appeal Court, however, allowed the appeal and granted injunction for the first time on 23.3.2004. However, this Court on 14.7.2004, while issuing notice for final disposal, directed the parties to maintain status-quo as of today with regard to the suit property. In view thereof, the learned counsel appearing for the parties fairly stated that hearing of the suit be expedited and the order of status-quo be continued till disposal of the suit.

2. After having heard the learned counsel for the parties and perused the impugned order, I am

satisfied that the following order will meet the ends of justice.

(i) The trial Court shall decide the suit bearing Regular Civil Suit No.133 of 2003 as expeditiously as possible and preferably within a period of one year from the date of receipt of this order. The order of status-quo that was passed on 14.7.2004, to continue till disposal of the suit. The trial Court shall decide the suit on merits in accordance with law and uninfluenced by the observations made in the orders passed in the proceedings arising out of application Exhibit-5.

(ii) The writ petition is, accordingly, disposed of.

(D.B.Bhosale, J.)